Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 10-04-14	Bureau/Station/Facility: Central Patrol / Century Station	Admin. Invest.? ☐	Hit? ☑

Incident Information

URN: 014-15357-2172-013	Date: 10-04-14 Time: 1851 hours
City or Station: Unincorporated Los Angeles	Nature of Incident: Deputies responded to a stabbing call. Upon arriving the deputies contacted the suspect. Deputies attempted to Tase and OC Spray the suspect without effect, ultimately resulting in a shooting.
Location: [redacted] East 75th Street	

Location Type (check one or more):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (check only one):
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☐ Street Lights

Weather (circle only one):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance:

Incident Type (check one or more):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (check only one):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (check only one):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☑ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
36	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Veloz	Guillermo	G	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Veloz	Oscar	E

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Ovalle	Jose	Jr.

PSTD Use Only

SH # 2367931

See Reverse

Officer Involved Shooting

RN: 014-15357-2172-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
10-04-14	2050 hrs.	01/18/17	

Employee #	Last Name	First Name	M.I.
[redacted]	Harpham	Richard	
[redacted]	Smeltzer	Chad	E.
[redacted]	Godwin	Brian	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE	ZZ				NN	
S#1	E#3	OE	ZZ				NN	
S#1	E#4	OE	ZZ				NN	
E#1	S#1	FH	SW	9	Y	Y	DH	UNK
E#2	S#1	FH	SW	9	Y	Y	DH	UNK
E#3	S#1	FH	HK	45	Y	Y	DH	UNK
E#4	S#1	FH	BR	9	Y	Y	DH	UNK

Officer Involved Shooting
Involved Employee Information

URN: 014-15357-2172-013

Involved Employee

E 1

Field	Value
Employee #	
Last Name	Hernandez
First Name	Ernesto
M.I.	J
Sex	M
Race	H
Rank	Deputy Sheriff
Unit Assignment	Century
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*)	☐ EM ☑ PM ☐ Day
ShiftType (*circle only one*)	☑ Regular ☐ Overtime ☐ Off Duty
Intoxication/Drug Usage?	☐
Substance Used	N/A
Hospital Admission?	☐
Hospital Name	N/A
Coroner Case?	☐
Coroner Case #	N/A
Interviewed?	☑
Hrs of sleep prior to shooting	6 to 8 hours
Duty Time (hrs)	
Clothing (*circle only one*)	☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest
Other Factors	None
Age	
Height	5'09"
Weight	235
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	
Patrol Certification?	
Certification Unit	
Prior Shootings?	
Number of Prior Shootings	
Directed Force	
Weapons Fired Brand	Smith & Wesson
Caliber	9mm
# Shots	8
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

E 2

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	M
Race	H
Rank	Deputy Sheriff
Unit Assignment	Century
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*)	EM PM Day
ShiftType (*circle only one*)	Regular Overtime Off Duty
Intoxication/Drug Usage?	☐
Substance Used	N/A
Hospital Admission?	☐
Hospital Name	N/A
Coroner Case?	☐
Coroner Case #	N/A
Interviewed?	
Hrs of sleep prior to shooting	Unk
Duty Time (hrs)	
Clothing (*circle only one*)	☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest
Other Factors	None
Age	
Height	6'03"
Weight	230
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	
Patrol Certification?	
Certification Unit	
Prior Shootings?	
Number of Prior Shootings	
Directed Force	
Weapons Fired Brand	
Caliber	
# Shots	
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

E 3

Field	Value
Employee #	
Last Name	
First Name	
M.I.	
Sex	M
Race	H
Rank	Deputy Sheriff
Unit Assignment	Century
Work Assignment (Unit #, Module, etc.)	
ShiftTime (*circle only one*)	EM PM Day
ShiftType (*circle only one*)	Regular Overtime Off Duty
Intoxication/Drug Usage?	☐
Substance Used	N/A
Hospital Admission?	☐
Hospital Name	N/A
Coroner Case?	☐
Coroner Case #	N/A
Interviewed?	
Hrs of sleep prior to shooting	Unk
Duty Time (hrs)	
Clothing (*circle only one*)	☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest
Other Factors	None
Age	
Height	5'08"
Weight	175
Range Qualification Date	
PPC Qualification Date	
Laser Training Date	
Certified with Weapon Used?	
Patrol Certification?	
Certification Unit	
Prior Shootings?	
Number of Prior Shootings	
Directed Force	
Weapons Fired Brand	
Caliber	
# Shots	
Weapons Fired Brand	
Caliber	
# Shots	
Field Training Officer Emp # / Last Name / First Name / M.I.	
Field Training Officer Emp # / Last Name / First Name / M.I.	

See Other Side

Officer Involved Shooting
Involved Employee Information

URN: 014-15357-2172-013

Involved Employee

E 4

Employee #: [redacted]	Last Name: Guerrero-Gonzalez	First Name: Pedro	M.I.: L
Sex: M Race: H	Rank: Deputy Sheriff	Unit Assignment: Century	Work Assignment (Unit #, Module, etc.): [redacted]
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used: N/A
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: N/A — Interviewed? ☑
Hrs of sleep prior to shooting: Unk	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors: None
Age: [redacted] Height: 5'08"	Weight: 160		
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] — Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] — Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9mm	# Shots: 15	Weapons Fired Brand: — Caliber: — # Shots:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E ___

Employee #:	Last Name:	First Name:	M.I.:
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: — Prior Shootings? ☐	Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: — Caliber: — # Shots:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:

E ___

Employee #:	Last Name:	First Name:	M.I.:
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: — Prior Shootings? ☐	Number of Prior Shootings: — Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: — Caliber: — # Shots:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:

See Other Side

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Field	Value	Field	Value	Field	Value
Last Name	Martinez	First Name	Johnny	M.I.	NMN
AKA Last Name		First Name		M.I.	
Sex	M	Race	Hispanic	Street Address	
City		State & Zip Code			
Work Phone	None	Home Phone		Social Security #	
Driver's License #					
Age	28	D.O.B.	01/12/1986	Height	6'01"
Weight	252	FBI #		CII #	
Booking #	N/A	Primary Charge	245(a)(1)PC	Secondary Charge	
Coroner Case?	☑	Coroner Case #	2014-06803	Intoxication/Drug Usage?	☑
Substance Used	Alcohol				
Armed?	☑	Apprehended?	☑	Mental Illness?	☑
Criminal History?	☑				
Vehicle Make		Model		Year	

S

Field	Value	Field	Value	Field	Value
Last Name		First Name		M.I.	
AKA Last Name		First Name		M.I.	
Sex		Race		Street Address	
City		State & Zip Code			
Work Phone		Home Phone		Social Security #	
Driver's License #					
Age		D.O.B.		Height	
Weight		FBI #		CII #	
Booking #		Primary Charge		Secondary Charge	
Coroner Case?	☐	Coroner Case #		Intoxication/Drug Usage?	☐
Substance Used					
Armed?	☐	Apprehended?	☐	Mental Illness?	☐
Criminal History?	☐				
Vehicle Make		Model		Year	

S

Field	Value	Field	Value	Field	Value
Last Name		First Name		M.I.	
AKA Last Name		First Name		M.I.	
Sex		Race		Street Address	
City		State & Zip Code			
Work Phone		Home Phone		Social Security #	
Driver's License #					
Age		D.O.B.		Height	
Weight		FBI #		CII #	
Booking #		Primary Charge		Secondary Charge	
Coroner Case?	☐	Coroner Case #		Intoxication/Drug Usage?	☐
Substance Used					
Armed?	☐	Apprehended?	☐	Mental Illness?	☐
Criminal History?	☐				
Vehicle Make		Model		Year	

S

Field	Value	Field	Value	Field	Value
Last Name		First Name		M.I.	
AKA Last Name		First Name		M.I.	
Sex		Race		Street Address	
City		State & Zip Code			
Work Phone		Home Phone		Social Security #	
Driver's License #					
Age		D.O.B.		Height	
Weight		FBI #		CII #	
Booking #		Primary Charge		Secondary Charge	
Coroner Case?	☐	Coroner Case #		Intoxication/Drug Usage?	☐
Substance Used					
Armed?	☐	Apprehended?	☐	Mental Illness?	☐
Criminal History?	☐				
Vehicle Make		Model		Year	

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name	M.I.		
Street Address	Zip Code	Work Ph	Home Ph	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Deputy involved hit shooting, suspect deceased**
IAB FILE NUMBER:	**FO 2367928/ SH 2367931**
URN#:	**014-15357-2172-013**
DATE/TIME:	**October 4, 2014, 1857 hours**
LOCATION:	**[redacted] East 75th Street, Los Angeles**

SYNOPSIS

On Saturday, October 4, 2014, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Richard Harpham, Sergeants Chad Smeltzer and Brian Godwin, responded to an incident command post regarding a deputy involved hit shooting. The command post was established by Century Station personnel. The shooting resulted in the death of Suspect Johnny Martinez. On July 27, 2016, the case was reassigned to IAB Sergeant Nader Chahine.

Detective Sergeant Eddie Aguirre and Detective Traci Healy from the Los Angeles County Sheriff's Department Homicide Bureau arrived and assumed control of the homicide investigation. For further information regarding the homicide investigation refer to the homicide case book, under URN 014-15357-2172-013 **[EXHIBIT A]**.

On October 4, 2014, at 1851 hours Witness [redacted] (the 9-1-1 caller), told the dispatcher his [redacted], Witness [redacted] (Victim), was stabbed in the head by his [redacted]. Witness Hernandez described the suspect (later identified as Suspect Martinez) as a male Hispanic, wearing striped shorts and no shirt. Witness [redacted] stated Suspect Martinez dropped the knife and was still at the location, seated on the front porch. The call was updated to advise responding units of the information.

At approximately 1856 hours, Deputies [redacted], Pedro Guerrero-Gonzalez, Ernesto Hernandez, and [redacted] responded to [redacted] East 75th Street, Los Angeles, regarding an assault with a deadly weapon call, Tag #206 **[See EXHIBIT A, page 67]**. Deputies [redacted] and Guerrero (Unit [redacted]) were the first unit to arrive at the location.

Upon their arrival, Deputy Guerrero observed a male Hispanic (Witness standing on the driveway, behind a wrought-iron gate at the location. Deputy asked Witness to step out and walk over to the adjacent property to the east, to speak with him. The deputies observed Witness was bleeding from the right side of his head and appeared to be shaken up and scared. Witness told Deputy Guerrero, in Spanish, he had just been stabbed in the head by his neighbor (Suspect Martinez). Witness described Suspect Martinez, as a male Hispanic, tall, and heavyset. Witness then directed Deputy Guerrero to Suspect Martinez' location at the rear of the driveway. Deputy Guerrero relayed the information ascertained from Witness to his training officer, Deputy

Deputies Hernandez and (Handling) arrived at the location during Deputies and Guerrero's contact with Witness Deputy briefed Deputies Hernandez and on the circumstances of the stabbing and the information regarding Suspect Martinez' location. Suspect Martinez' (Witness) approached the deputies and told them in Spanish, "Esta bien" (Translated to English meaning "he's good," referring to Suspect Martinez). Deputy Hernandez asked the several times, if Suspect Martinez still had the knife. The replied, "No he's good," in Spanish. Based Witness ' statement, Deputy believed Suspect Martinez was no longer armed **[see page 10 of Deputy IAB transcript].**

Deputy Hernandez devised a plan utilizing his arrest team and assigned different jobs to each deputy. Deputy was designated as the **radio deputy,** for emergency broadcasts and as a **lethal option**, if deadly force became necessary. Deputy Guerrero was designated as the **"hands-on" deputy,** his duties were to control the suspect's hands and handcuff him, and also control the weapon. Deputy was designated as the **Taser,** to be utilized as a less lethal option in taking the suspect into custody. Deputy Hernandez designated himself as a **lethal option**, if deadly force became necessary. Their goal was to contact Suspect Martinez, to conduct an investigation into the assault of Witness and effect an arrest.

IAB Note: The arrest team took one to two minutes formulating the plan, prior to making their approach of Suspect Martinez.

IAB Note: Deputies Hernandez and , stated they did not consider requesting a sergeant to respond to the scene prior to approaching Suspect Martinez, because it was not common practice at the time and felt they had sufficient personnel and equipment to handle the situation. Deputy believed Suspect Martinez was no longer armed with the knife, based on Witness and Witness ' statements. Also because a radio call of this nature (assault with a deadly weapon) was not a call a sergeant would be routinely assigned to [see page 13 of Deputy , and see page 10 of Deputy Hernandez' IAB transcript].

Deputy [redacted] told Witness [redacted] and Suspect Martinez' [redacted] to stay at the adjacent property, they closed the gate to [redacted] 75th Street (behind them), so they would not be followed inside. Deputies [redacted], [redacted], Hernandez, and Guerrero walked northbound on the driveway and observed Suspect Martinez sitting on the porch of the rear residence, as he faced deputies [redacted] [redacted] Hernandez, and Guerrero. Suspect Martinez' [redacted] (Witness [redacted]) was standing beside him to his left. As deputies [redacted] [redacted] Hernandez, and Guerrero initially approached Suspect Martinez, he had his hands in his lap and appeared to be calm. Deputy [redacted] asked the [redacted] to leave and she complied by walking to the rear of the location.

Deputy Hernandez recognized Suspect Martinez from a prior contact he had with him within the last year, and attempted to engage him in conversation. Deputy Hernandez asked Suspect Martinez, "Don't you remember me," he replied, "Fuck off, get away." Deputy Hernandez ordered Suspect Martinez to stand up and place his hands behind his back. Suspect Martinez ignored Deputy Hernandez' commands. Deputy Hernandez approached Suspect Martinez from the left-hand side (Suspect Martinez') and grabbed his left shoulder. Suspect Martinez looked up at Deputy Hernandez and simultaneously with his right hand reached under his upper right thigh area. As Suspect Martinez leaned to his left, he produced a six to eight inch knife. Deputy Guerrero shouted, "He's got a knife!" and Deputy [redacted] yelled, "Knife!" Deputy Hernandez stepped back as Suspect Martinez swung the knife at his face while, Suspect Martinez was still seated. The blade came within one to two feet of Deputy Hernandez' face. Witness [redacted] returned and attempted to intervene, but Deputy [redacted] ordered her back to the rear of the residence and she compiled.

IAB Note: Deputy [redacted] stated he did not consider requesting for additional units or a sergeant to respond to the scene, after Suspect Martinez produced the knife, because he felt the situation was too dynamic for the deputies to take their focus off Suspect Martinez [see page 19 of Deputy [redacted] IAB transcript].

IAB Note: Deputy Hernandez stated he considered using deadly force as Suspect Martinez produced the knife and swung the knife at Deputy Hernandez' face. Instead, Deputy Hernandez directed Deputy [redacted] to Tase Suspect Martinez, hoping the Taser would be effective in stopping Suspect Martinez' Aggression [see pages 16 and 17 of Deputy Hernandez' IAB transcript].

IAB Note: Deputy [redacted] stated he did not consider using deadly force as Suspect Martinez produced the knife and swung the knife at Deputy Hernandez' face. He felt Suspect Martinez was still seated and he (Deputy [redacted]) believed they had the advantage of creating space and distance. Also, Deputy

Hernandez was able to step back out of Suspect Martinez' "Striking range." Deputy [redacted] hoped the deployment of the Taser, would be effective to subdue and detain Suspect Martinez [see page 18 of Deputy [redacted] IAB transcript].

Deputy Hernandez directed Deputy [redacted] to fire his Taser at Suspect Martinez. Deputy [redacted] employed his Taser while Suspect Martinez was still seated on the porch, from a distance of eight to ten feet away. Both prongs penetrated Suspect Martinez' upper torso area, but did not appear to have any effect on him. Suspect Martinez grunted and removed the Taser wires with his left hand in a downward motion as Deputy [redacted] continued pressing the trigger, cycling the Taser completely. Suspect Martinez stood up and took a couple of steps toward the deputies, in a southeast direction, as he held the knife in his right hand. The deputies retreated five to ten feet away from Suspect Martinez, to create space and distance. Deputy Hernandez (from a distance of six to eight feet away) then sprayed Suspect Martinez in his face with a four to five second burst of his Oleoresin Capsicum Spray (OC Spray). Suspect Martinez wiped off his face with his left hand, still holding the knife in his right hand. The spray did not appear to have any effect on Suspect Martinez.

IAB Note: The Taser report, indicated the Taser was triggered, for five seconds. For further details see report [EXHIBIT D]

IAB Note: When Suspect Martinez stood up, he was described by the deputies as being over 6 feet tall, and weighing over 300 pounds. The deputies stated they felt intimidated by Suspect Martinez' size.

Deputy [redacted] removed his Smith & Wesson M&P, semi-automatic pistol and ordered Suspect Martinez to drop the knife and to "Stop fighting with us." Deputy [redacted] pleaded with Suspect Martinez, saying "Please drop the knife," approximately ten times. Deputies Guerrero and Hernandez also ordered Suspect Martinez to drop the knife repeatedly. Suspect Martinez did not drop the knife, instead started "target glancing" (suspect is evaluating an attack), at the four deputies and charged toward Deputies Guerrero and [redacted] **[see pages 18 through 23 of Deputy [redacted] IAB transcript].**

Deputy [redacted] observed Suspect Martinez advancing toward him with the knife still in his right hand with the blade facing upward. Deputy [redacted] retreated in a southeastern direction toward the east fence line, as Suspect Martinez lunged toward Deputy Guerrero and himself. Deputy [redacted] believed Suspect Martinez was going to kill them. In fear for his life, and that of Deputy Guerrero's, Deputy [redacted] fired what he believed were two to four rounds from his Heckler & Koch "USP" .45 auto semiautomatic pistol, from a distance of approximately six feet away, in a northwest direction. When Suspect Martinez did not stop charging, Deputy [redacted] reassessed and fired what he believed were an additional two to three more rounds until Suspect Martinez fell to the ground. **[see pages 18 through 21 of Deputy [redacted] IAB transcript].**

Deputy Guerrero believed Suspect Martinez targeted him, as he (Suspect Martinez) looked directly at him, then lunged forward with the knife still in his hand, holding the knife "Overhand." In fear that Suspect Martinez would strike him with the knife, Deputy Guerrero fired his Beretta 92FS, semi-automatic pistol, as he retreated toward the east fence line. Deputy Guerrero continued firing at Suspect Martinez, until Suspect Martinez fell to the ground. Deputy Guerrero quickly reloaded his weapon and was unsure how many rounds he fired in total **[see page 3 and 15 of Deputy Guerrero's homicide interview and see pages 19 through 26 of his IAB transcript].**

Deputy , in fear for Deputies Guerrero and life, fired three rounds from his Smith & Wesson M&P, semi-automatic pistol, from a distance of eight to ten feet away (southwest direction), center mass, into Suspect Martinez' mid-torso area. Deputy paused for a half second and noticed his rounds had no effect, re-assessed and fired what he believed were an additional three rounds until, Suspect Martinez fell to the ground **[see page 4 of Deputy homicide interview and see pages 24 through 27 of his IAB transcript].**

> **IAB Note: According to The Weapons Qualification System [EXHIBIT E], indicated Deputy .**

Deputy Hernandez, fearing for the safety of Deputies Guerrero and fired what he believed were three to four rounds from his Smith & Wesson M&P, semi-automatic pistol, from a distance of eight to ten feet away, in southwest direction. He re-assessed and fired what he believed were an additional three to four rounds until the threat was over **[see page 3 of Deputy Hernandez' homicide interview].**

Deputy Guerrero advised over the radio (at approximately **1858 hours**) of a deputy involved shooting. Deputy , also requested additional units and a sergeant to respond. Deputy advised paramedics were on scene and he requested additional paramedics for Witness . Deputy walked southbound on driveway toward the sidewalk and noticed the gate was partially open, he opened the gate the entire way. Deputy then saw Witness behind the gate on the ground, being treated by Los Angeles County Fire personnel.

> **IAB Note: Once Suspect Martinez fell onto the ground, Deputy maintained visual on Suspect Martinez, and ensured he was no longer a threat.**

The Los Angeles County Fire Engine 16, Captain Butrovich asked Deputy if that was the shooting Witness (referring to Witness). Deputy directed him to Suspect Martinez, who laid in the middle of the driveway, holding the handle portion of the knife (black in color), in his right hand. The handle was broken and separated from the actual metal portion of the knife. Los Angeles County Fire personnel responded and attempted to render first aid to Suspect Martinez. Captain Butrovich contacted Dr. Elliot (U.S.C Medical Hospital) via telephone. Dr. Elliot

pronounced Suspect Martinez dead at **1913 hours**. Fire Personnel transported Witness [redacted] to Saint Francis Medical Hospital.

IAB Note: During the IAB interviews the investigators used four separate photographs depicting the scene, for each deputy. The photographs [EXHIBIT F] were identified with the deputies'signatures and employee numbers. The deputies used letters indicating their positions and weapons used when they contacted Suspect Martinez at various times during the incident. The following are the list of letters and their meanings used by the deputies on the photographs:

- **"[redacted]" for Deputy [redacted]**
- **"F" Firearm.**
- **"G" for Deputy Guerrero.**
- **"H" for Deputy Hernandez.**
- **"P" Pepper spray used.**
- **"S" for Suspect Martinez.**
- **"S" with circle around the "S" position of Suspect Martinez , when Deputy Hernandez OC sprayed him.**
- **"T" Taser used.**
- **"T" with circle around the "T," deputies positions when Suspect Martinez stands up and is Tased.**

IAB Note: Deputy Hernandez stated he had prior contact with Suspect Martinez, and remembered assisting on the call, see Incident History Report, [redacted] on [redacted] [EXHIBIT G]. Deputy Hernandez recalled Suspect Martinez' [redacted] (Witness [redacted]), reported her [redacted] (Suspect Martinez) [redacted] and mentioned he used drugs frequently. Although the call was dispatched as a possible insane person call (P918), and the call indicated Suspect Martinez was schizophrenic, Deputy Hernandez did not ascertain if Suspect Martinez suffered from any mental issues, nor did Suspect Martinez' [redacted] inform Deputy Hernandez of any mental illness.

IAB Note: Suspect Martinez was detained for 72 hour observation in a mental health facility, on March 2, 2013, [EXHIBIT H, see Incident History Report, Tag #78, and Incident Report,]

Los Angeles County Sheriff's Department Homicide Bureau detectives documented their investigation of the incident in their Homicide Book **[EXHIBIT A]**. The Los Angeles County District attorney's Office reviewed the investigation and authored a Letter of Opinion **[EXHIBIT B]**. The letter states Deputies [redacted], [redacted], Ernesto Hernandez and Pedro Guerrero-Gonazalez, acted in lawful self-defense and defense of others when they used deadly force against Suspect Johnny Martinez. There would be no further action from the District Attorney.

In addition, one compact disc is included as **[EXHIBIT C].** The disc contains digital recordings of the 911 call and radio traffic. Also, 35 crime scene photographs, photographs of the deputies and their weapons, photographs of the Taser, crime scene photographs, Suspect Johnny Martinez' Consolidated Criminal History Report System (CCHRS), and taped interviews of the deputies and witnesses.

INVOLVED EMPLOYEES AND WORK HISTORY

Ernesto Hernandez, Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History

Date of Employment:	March 1, 2006
Date Assigned to Patrol/Century Station:	August 1, 2010
Date Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable Baton

[redacted] Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History

Date of Employment:
Date Assigned to Patrol/Century Station:
Date Completed Patrol Training:
Prior Shooting incident(s):
Prior Founded Force Incidents:



Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable Baton

Pedro Guerrero, Deputy Sheriff, #
Central Patrol Division
Century Station

Work History

Date of Employment:	April 25, 2007
Date Assigned to Patrol/Century Station:	June 1, 2014
Date Completed Patrol Training:	
Prior Shooting Incident(s):	
Prior Founded Force Incidents:	September 9, 2012

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable Baton

Deputy Sheriff, #
Central Patrol Division
Century Station

Work History

Date of Employment:
Date Assigned to Patrol/Century Station:
Date Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incidents:



Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable Baton

SUSPECT MARTINEZ' INFORMATION

Johnny Martinez
Male, Hispanic, DOB: January 12, 1986, 6'01", 352 pounds (Deceased)

Criminal History

CII# [redacted] Suspect Martinez" criminal history consists of [redacted].
His Consolidated Criminal History Report System (CCHRS) and rap sheet are included in **[EXHIBIT C]**, and the homicide book (page 100).

SUSPECT MARTINEZ' INJURIES

Suspect Martinez sustained 36 gunshot wounds; (9) to the right chest and abdomen, (5) to the left abdomen, (5) to the right back, (10) to the upper extremities, and (7) to the lower extremities. For the additional twenty seven (27) gunshots sustained by Suspect Martinez and descriptions, refer to Homicide book pages 112-129 **[EXHIBIT A].**

TOXICOLOGY FINDINGS

Tests (vitreous and blood) of Suspect Martinez were conducted by the Los Angeles County Coroner's Office. Suspect Martinez was determined to have a level of alcohol in him at the time of the autopsy was performed on him. The level of intoxication in a sample of Suspect Martinez' vitreous was listed as 0.02 g%. This was detected from a fluid sample taken from his heart, refer to **[EXHIBIT A, page 130].**

IAB NOTE: "g%" is an abbreviation for Gram percent.

DEPUTY PERSONNEL INJURIES

None

PHYSICAL EVIDENCE

All physical evidence was located and collected by the Scientific Services Bureau. Evidence was documented by Homicide Bureau Investigators and Scientific Services Bureau personnel; refer to **[EXHIBIT A, page 68-97].** Additionally a DVD containing crime scene photographs was provided with this case **[EXIHIBIT C].**

INVESTIGATORS OBSERVATIONS

The scene was described in detail by Homicide Detectives Eddie Aguirre, and Tracy Healy **[Exhibit A, page 57-66]**.

Their description of the scene was consistent with IAB Investigator's observations. The scene was also photographed by the Scientific Services Bureau.

WEAPON USED BY DEPUTY HERNANDEZ

Deputy Hernandez fired eight rounds of Department issued 9mm ammunition from his

Department issued Smith & Wesson M&P, semi-automatic pistol, serial #HAM[redacted]
with attached 17 round magazine.

The firearm was examined by Deputy Ivan Chavez of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 71-74]**.

Date last qualified: [redacted]

WEAPON USED BY DEPUTY [redacted]

Deputy [redacted] fired six rounds of Department issued 9mm ammunition from his Department issued Smith & Wesson M&P, semi-automatic pistol, serial #HRK[redacted], with attached 17 round magazine.

The firearm was examined by Deputy Ivan Chavez of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 71-74]**.

Date last qualified: [redacted]

WEAPON USED BY DEPUTY GUERRERO

Deputy Guerrero fired fifteen rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS, semi-automatic pistol, serial #BER[redacted], with attached 15 round magazine.

The firearm was examined by Senior Criminalist Phil Teramoto of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 71-74]**.

Date last qualified: [redacted]

WEAPON USED BY DEPUTY [redacted]

Deputy [redacted] fired seven rounds of Department authorized .45 auto ammunition from a Department authorized Heckler & Koch "USP" .45 auto semiautomatic pistol, with attached 12 round magazine.

The firearm was examined by Senior Criminalist Phil Teramoto of the Scientific Services Firearms Identification Section and found to be functional **[EXHIBIT A, pages 71-74]**.

Date last qualified: [redacted]

WEAPON USED BY SUSPECT MARTINEZ

Suspect Martinez was armed with a kitchen knife, with black handle, metal blade, and six to eight inches long. It was later determined the handle was broken and separated from the actual metal portion of the knife **[EXHIBIT A, page 86]**.

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATORS

The criminal investigation into the shooting was handled by Detectives Aguirre and Healy of the Los Angeles County Sheriff Department's Homicide Bureau.

LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by an overhead street light at the location. The weather was clear and cool.

INVESTIGATION

Internal Affairs Bureau investigators interviewed the following involved Department personnel: Deputies Ernesto Hernandez, [redacted] Pedro Guerrero-Gonzalez, and [redacted]. The interviews were digitally recorded and transcribed. For further information and precise wording, see the attached verbatim interview transcriptions.

The following witnesses were interviewed by Los Angeles County Sheriff's Homicide Detectives: [redacted], [redacted], [redacted], [redacted], and [redacted]. The interviews were digitally recorded and transcribed. For more information and precise wording, see the attached verbatim interview transcriptions.

Also interviewed was Witness [redacted] for further information see the attached summary in **[EXHIBIT A, pages 41-42]**. The interview of Witness [redacted] was digitally recorded, however the audio is currently unavailable.

ADDITIONAL INFORMATION

IAB Lieutenant Richard Harpham ensured the Watch Commander, Sergeant Jose Ovalle (Acting Watch Commander), took reasonable steps to ensure the involved parties and witnesses did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Lieutenant Harpham also ensured Sergeant Ovalle knew the aforementioned parties should not collectively consult with their attorney or representative. In addition, Lieutenant Harpham ensured, Sergeant Ovalle had involved parties and witness personnel remained in the company of a supervisor until they provided a statement to the assigned investigators.